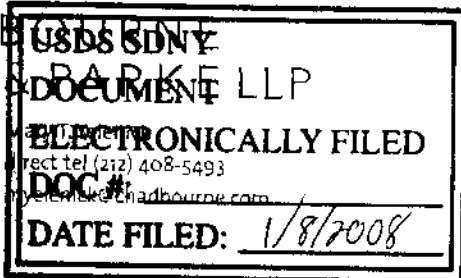
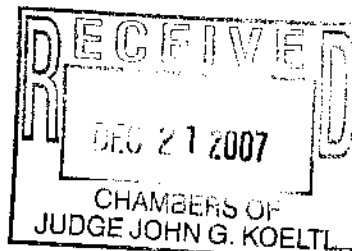


CHAD



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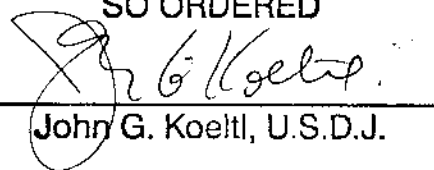


December 24, 2007

Honorable John G. Koeltl  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 1030  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED

VIA FACSIMILE: (212) 805-7912

1/3/08   
John G. Koeltl, U.S.D.J.

Re: Request for Permission to File Memoranda of Law in Excess of 25 Pages:

*New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund v. Purdue Pharma,*  
Civil Action No. 07-cv-6916-JGK

*American Federation of State, County and Municipal Employees, District Council 47 Health and Welfare Fund et al. v. Purdue Pharma,*  
Civil Action No. 07-cv-8761-JGK

Dear Judge Koeltl:

Defendants Purdue Pharma L.P., Purdue Pharma, Inc., The P.F. Laboratories, Inc. and The Purdue Frederick Company Inc. ("Purdue") respectfully request permission to exceed the 25 page limit applicable under the Court's Individual Practices with respect to the briefs that Purdue intends to file in support of its Rule 12(c) motions for judgment on the pleadings, which are due in the above-referenced matters on January 7, 2008. (Case Management Order (12/14/07) [Doc. 59].) Additional pages are necessary for the following reasons.

Both Complaints are quite broad in scope, complex in nature, set forth multiple theories of recovery, and involve the alleged conduct of several parties over a long period of time. Consisting of 45 pages and 171 paragraphs, the Class Action Complaint filed by the *New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Fund*, for example, sets forth wide-ranging allegations of racketeering and conspiracy in violation of federal law. Plaintiffs also purport to plead consumer protection and unjust enrichment claims.

Similarly, comprising 23 pages and 72 paragraphs, the Class Action Complaint filed by the *American Federation of State, County and Municipal Employees, District Council 47 Health and Welfare Fund* alleges violation of the Pennsylvania consumer fraud statute, unjust enrichment, breach of implied warranty, negligence, and misrepresentation in violation of the Restatement (Second) of Torts § 402(B).

CHADBOURNE  
& PARKE LLP

Honorable John G. Koeltl

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December 24, 2007

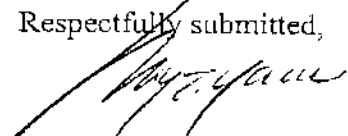
Additionally, because these cases involve third-party payor claims against the manufacturer of an FDA-approved prescription drug, they raise complex issues of standing, federalism, statutory interpretation, and state and federal public policy.

For all of these reasons, Purdue respectfully requests that the Court enter an order allowing Purdue to exceed the Court's 25-page limit by up to 10 (ten) pages in the *New Mexico Fund* matter (for total of 35 pages) and by up to 5 (five) pages in the *American Federation Fund* matter (for a total of 30 pages). Although the two cases raise distinct issues of state and federal law, Purdue will endeavor to avoid repetition whenever an argument in one of the cases applies equally to the other. The individual defendants will also be filing a brief in the *New Mexico Fund* matter, which will be short and non-repetitive.

I have consulted with counsel for the Plaintiffs in both cases; they have authorized me to say that they do not object to this request.

Finally, Plaintiffs have requested that we also include in this letter a request for a corresponding page extension for Plaintiffs' responsive briefing on these Rule 12(c) motions. Purdue has no objection to such an extension.

Respectfully submitted,

  
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Honorable John G. Koeltl

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December 24, 2007

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Honorable John G. Koeltl

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December 24, 2007

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